

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

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|--|---|-------------------------|
| RONALD FORSYTH, |) | |
| |) | |
| <i>Plaintiff,</i> |) | |
| |) | Case No. 2:22-cv-37 |
| v. |) | |
| |) | Judge Atchley |
| |) | |
| BIG L EXPRESS TRUCKING, LLC, <i>et al.</i> , |) | Magistrate Judge Wyrick |
| |) | |
| <i>Defendants.</i> |) | |
| |) | |

ORDER

On October 17, 2023, United States Magistrate Judge Cynthia R. Wyrick filed a Report and Recommendation [Doc. 56] pursuant to 28 U.S.C. § 636, the Rules of this Court, and the Referral Order [Doc. 55]. The Magistrate Judge recommends that Defendants Honeycutt and KLM’s Motion for Relief [Doc. 51] related to the service of AJs EZ Transport, LLC be denied, and the claims against AJs EZ Transport, LLC be dismissed without prejudice. No objections have been filed with respect to the Report and Recommendation.¹ The Court has nonetheless reviewed the Report and Recommendation, as well as the record, and agrees with Magistrate Judge Wyrick’s well-reasoned conclusions.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Wyrick’s findings of fact and conclusions of law as set forth in the Report and Recommendation. [Doc. 56]. Defendants

¹ Magistrate Judge Wyrick advised that the parties had 14 days in which to object to the Report and Recommendation and that failure to do so would waive any right to appeal. [Doc. 56 at 4 n.1]; *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (“It does not appear that Congress intended to require district court review of a magistrate judge’s factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.”).

Honeycutt and KLM's Motion for Relief [Doc. 51] is **DENIED**, and the claims against AJs EZ Transport, LLC are **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

/s/Charles E. Atchley, Jr.
CHARLES E. ATCHLEY, JR.
UNITED STATES DISTRICT JUDGE